

## **Editorial:**

### **ISLAM AND HUMAN RIGHTS: Contested Viewpoints**

The remaining problem faced by Muslims living in this modern life is how the teachings of Islam believed as bless for all human being can be confirmed in the reality of everyday life humanity crammed with conflicts and dissonances. It is staggering to consider that not all Muslims concern, and perhaps do not wish to know, about the current discourse on Islam and its relation with others. Although Samuel Huntington's controversial theory of "Clash of Civilization" might be challenged by most Muslim circles, the heightening conflict involving Western and Islamic civilizations in the aftermath of September 11, 2001 has approved his theory. The attack of terrorism to the US soil has triggered not only the unremitting war on terror undergone towards the alleged Muslim terrorists worldwide but also the worsening relationship between the two civilizations believed to have been engulfed since the two decades before. Candidly, this phenomenon has also affected the intra-faith dialogue among Muslims having different thought of religion.

The present volume of Al-Jāmi'ah is designed specifically to discuss such an issue. The year 2007 seems to have been replete with many cases related to the unresolved problems resulted from the seemingly eternal conflicts between Islam and the West. It is thus sensible to set forth this issue as a focus of our attention in this closing year edition. The theme of "Islam and Human Rights" has been chosen as a special topic of this journal in concern with the fact that one of the biggest predicaments faced in the encounter between Islam and the West is the seemingly unresolved dissonance in the issue of human rights. Islam is believed to have distinct system of human rights derived

specifically from the sacred values emanated from the sacred sources, while Western civilization has their own understanding of human rights totally different from the Islamic values.

The current edition starts with article on the issue of Islam and human rights in Indonesia. Based on field research in some areas of the country, the authors, Ahmad Nur Fuad, *et al.*, argued that in response to the debate of the universality of Western human rights purported in the declaration of human rights, Indonesian Muslims have basically grouped into two different approaches, i.e., in complete agreement with the declaration and in resistance to it. Focusing on some principal issues in human rights discourse, the authors found that Indonesian Muslim intellectuals believe that although the universality of human rights might be unquestionable, there are still some aspects that seem to reflect their particularity. It is thus interesting to see how Muslim intellectuals tried to offer a synthesis in this discourse. Second article, however, seems to discuss more specific aspect of the human rights issue. Here, Dewi Candraningrum discussed the current issue of *Shari'ah* by laws promulgated in many local districts in Indonesia that seem to give a bad impact to the position of women. As women rights are basically also human rights, the ratification of those by laws has potentially attacked the implementation of human rights in the country. The third article by Akhmad Muzakki more specifically discusses the current debate on Islamic thought involving Indonesian Muslims with different approaches in their acceptance of liberalism in Islam. Interestingly, the debate involves some issues touching very much on the problem of understanding human rights *vis-à-vis* religious teachings. The authors concludes that different to *Jaringan Islam Liberal* (JIL) activists who use more liberal approach in understanding Islam, *Media Dakwah* (MD) tends more to use conservatism and anti-liberalism. This of course gives a result to their different opinions in some issues related to human rights, such as the issue of minority status, religious freedom, etc.

Although more generally, the last two English articles discuss the issue of human rights from the broader perspective of how we understand sacred texts. Syafa'atun Almirzanah starts with the topic of human rights debate from the perspective of Qur'anic interpretation.

She focuses on the issue of religious freedom in Islam in which she believes that Qur'an assures the freedom of choice whether to embrace Islam. Some Muslims however often contradict this to the prophetic tradition sanctioning death penalty for apostasy. The author convincingly argues that the *ḥadīth* is in fact more in relation to the public law of treason and sedition. If so, the rule of death penalty for apostasy is thus not created to curtail Muslims from their religious freedom. Related to this, Agus Nuryatno is more in attuning to show us that there are basically various methods to approach Qur'an. Based upon his research on Asghar Ali Engineer's theory, the author discloses how we might need to reformulate our understanding towards the sacred texts. Focusing on the issue of women status and the rule of veil in Islam, the article goes on to argue that the two issues should be approached using more contextual, non-subjective and beyond timing and place dimension of the interpreters. It is with this approach that we might succeed to answer many current human right issues in conjunction with time and condition where we live now.

Last but not least, the three Arabic articles deal more generally the varied topics in Islamic studies. First article by Amin Abdullah discusses the topic of orientalism in which the new synthesis of the two groups, namely, orientalism done by pure Western orientalist and the one purported by non-Westerners, can be set forth in the discourse. The author seems to be sure that Muslims would be able to bridge the gap between the two groups if they also have an access on the richness of Western studies of Islam and orientalism in general. The next article on Islamic endowment (*waqf*) by Muṣṭafā Dasūqī appears very detail discussing the institution of *waqf* in modern time of Muslim world. He seems to argue that it is now time for Muslims to accept modernity in handling the institution of Islamic endowment if we want this institution to survive in the midst of modern social apparatus. And lastly, although not in direct way related to the above issue, Syihabudin Qalyubi explains on a great extent the discourse of Qur'anic style. In this article, the author opines that the study of language stylistics in Arabic tradition is much more influenced by Qur'anic style. Thus, it seems understanding that the Arabic style borrows many aspects of the language style set forth in the Qur'an. And here, according to the

author, the study of Arabic stylistics had in fact preceded the same studies in Western tradition, especially the one theorized by Charles Belly.

The variety of the discussion as presented in the eight articles in this present edition of *Al-Jāmi‘ah* is just to show the richness of the study of Islam. It seems also to support our idea that Islam is basically open to all ideas coming from outside. And such openness is what makes Islam rich in its nature.